

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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SEAN VINCENT and LORENZO SERNA ,

**NOTICE OF MOTION**  
Plaintiff, 14 CV 7744

-against-

THE CITY OF NEW YORK, et al,

Defendants.

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PLEASE TAKE NOTICE that upon the annexed declaration of Dara L. Weiss, dated April 4, 2016, the exhibits annexed thereto, the accompanying Memorandum of Law, dated April 4, 2015, and all pleadings and proceedings previously had herein, defendants will move before the Honorable Vernon S. Broderick, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York for an Order pursuant to Fed. R. Civ. P. 12(c) and Fed. R. Civ. P. 12(b)(6) to dismiss the complaint against defendants for plaintiff's failure to state a claim upon which relief can be granted, and for such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE**, that answering papers, if any, are to be filed on or before May 2, 2016. Reply papers, if any, are to be filed on or before May 16, 2016.

Defendants further request that the Court stay discovery during the pendency of this motion.

Dated: New York, New York  
April 4, 2016

Zachary W. Carter  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
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New York, New York 10007  
(212) 356-3517

By: \_\_\_\_\_/s/

Dara L. Weiss  
Senior Counsel

TO: Wylie Steckow (by ECF)